

What is ICWA?	ICWA is the acronym for Indian Child Welfare Act (Federal Law). Congress passed ICWA in 1978 in response to the alarmingly high number of Indian children being removed from their homes by both public and private agencies. The intent of Congress under ICWA was to "protect the best interests of Indian children and to promote the stability and security of Indian tribes and families" (25 U.S.C. § 1902). ICWA sets federal requirements that apply to state child custody proceedings involving an Indian child who is a member of or eligible for membership in a federally recognized tribe.
Who does ICWA apply to?	<p>Alaska native or American Indian children involved in state child custody proceedings are covered under ICWA. A person may identify themselves as Indian or Native but must meet the Federal definition as an "Indian Child".</p> <p>Under federal law, individual tribes have the right to determine eligibility, membership, or both. However, in order for ICWA to apply, the child must be a member of or eligible for membership in a federally recognized tribe.</p> <p>ICWA does not apply to divorce proceedings, intra-family disputes, juvenile delinquency proceedings, or cases under tribal court jurisdiction.</p>
What is the definition of an "Indian child"?	ICWA defines an "Indian child" as "any unmarried person who is under age eighteen and is either (a) a member of an Indian tribe or (b) is eligible for membership in an Indian tribe and is the biological child of a member of an Indian tribe" (25 U.S.C. § 1903).
What is the definition of membership?	Membership to an Indian tribe is determined by each individual Tribe. To confirm eligibility or enrollment as a member, you must contact the tribe. Under federal law, individual tribes have the right to determine eligibility, membership, or both.
What is a tribe?	A tribe, as it pertains to ICWA, is identified as any of the tribes listed on the BIA Federal Registry.
What are Alaska Native Regional Corporations?	The Native Corporations often have educational, vocational, counseling, health services and other programs available for Native children. Some of these corporations have a non-profit organization. You can find a list of these Corporations on the ICW web page.
What are placement preferences?	Placement preferences identified under the Indian Child Welfare Act identify a specific order that children in custody must be placed in. the primary placement should always be the parent first, but when not available, these are the preferences (you can find them under

	<p>UNITED STATES CODE TITLE 25 - INDIANS CHAPTER 21 - INDIAN CHILD WELFARE CHAPTER 21 - INDIAN CHILD WELFARE § 1915. Placement of Indian children (a) Adoptive placements; preferences In any adoptive placement of an Indian child under State law, a preference shall be given, in the absence of good cause to the contrary, to a placement with (1) a member of the child's extended family; (2) other members of the Indian child's tribe; or (3) other Indian families. (b) Foster care or preadoptive placements; criteria; preferences Any child accepted for foster care or preadoptive placement shall be placed in the least restrictive setting which most approximates a family and in which his special needs, if any, may be met. The child shall also be placed within reasonable proximity to his or her home, taking into account any special needs of the child. In any foster care or preadoptive placement, a preference shall be given, in the absence of good cause to the contrary, to a placement with - (i) a member of the Indian child's extended family; (ii) a foster home licensed, approved, or specified by the Indian child's tribe; (iii) an Indian foster home licensed or approved by an authorized non-Indian licensing authority; or (iv) an institution for children approved by an Indian tribe or operated by an Indian organization which has a program suitable to meet the Indian child's needs.</p>
How is an ICWA specialist different from an ICWA worker?	<p>Most often than not, when people in the child welfare field refer to ICWA Specialist, that is referring specifically to a State of Alaska Office of Children's Services employee. Their job duty includes reviewing cases that identify involving Native children.</p> <p>When people refer to ICWA workers, they more commonly are referring to individuals that a tribe or Native organization has identified to work with families involved with their members and the Office of Children's Services.</p>